

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John W. Forsberg; Mark E. Confirmation No. 9349
Schommer; David P.
Olson; William C. Phillips;
Alex C. Toy; Charles R.
Lewis, Jr.
Serial No.: 10/693,005
Filed: October 24, 2003 Customer No.: 28863
Examiner: Christopher A. Flory
Group Art Unit: 3762
Docket No.: 1023-294US01
Title: MEDICAL DEVICE PROGRAMMER WITH INFRARED
COMMUNICATION

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a three-month extension of time be granted in which to respond to the outstanding Office Action mailed March 21, 2008, said period of response being extended from June 21, 2008 to September 21, 2008.

Please charge Deposit Account No. 50-1778 the amount of \$1110.00 to cover the required extension fee for a large entity.

Date:

By:

October 9, 2008
SHUMAKER & SIEFFERT, P.A.
1625 Radio Drive, Suite 300
Woodbury, Minnesota 55125
Telephone: 651.286.8346
Facsimile: 651.735.1102

Jessica H. Kwak
Name: Jessica H. Kwak
Reg. No.: 58,975

12/05/2008 CKHLOK 00000014 501778 10693005
01 FC:1401 540.00 DA

Adjustment date: 12/05/2008 CKHLOK
10/10/2008 INTEFSW 00002518 501778 10693005
02 FC:1253 1110.00 CR
Adjustment date: 12/05/2008 CKHLOK
10/04/2007 VBU111 00000046 501778 10693005
02 FC:1401 510.00 CR

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>11/28/08</u>		2 Serial/Patent # <u>10/693,005</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
X	Extension of Time		10/09/08	\$ 1,110.00								
	Notice of Appeal/Appeal			\$								
	Petition			\$								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
		7 TOTAL AMOUNT OF REFUND		\$ 1,110.00								
		8 TO BE REFUNDED BY:										
10 REASON:		Treasury Check										
	Overpayment	X	Credit Deposit A/C #:									
	Duplicate Payment		9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"><tr><td>5</td><td>0</td><td>--</td><td>1</td><td>7</td><td>7</td><td>8</td></tr></table>			5	0	--	1	7	7	8
5	0	--	1	7	7	8						
X	No Fee Due (Explanation):											
Can't buy an EOT beyond expiration of maximum extendable period for reply.												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Shirene Willis Brantley</u>		TITLE: <u>Petitions Attorney</u>										
SIGNATURE: <u><i>Shirene Willis Brantley</i></u>		PHONE: <u>571 272-3230</u>										
OFFICE: <u>Office of Petitions</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u><i>CKhbk</i></u>		DATE: <u>12/5/08</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	John W. Forsberg; Mark E. Schommer; David P. Olson; William C. Phillips; Alex C. Toy; Charles R. Lewis, Jr.	Confirmation No.	9349
Serial No.:	10/693,005	Filed:	October 24, 2003
Examiner:	Christopher A. Flory	Group Art Unit:	3762
Docket No.:	1023-294US01	Customer No.:	28863
Title:	MEDICAL DEVICE PROGRAMMER WITH INFRARED COMMUNICATION		

NOTICE OF APPEAL

Mail Stop Petition
Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-12, 14-21 and 32 of the above-identified application, as set forth in the Office Action mailed March 21, 2008.

On October 3, 2007, Applicant filed a first Notice of Appeal and paid the Notice of Appeal fee. Prosecution was reopened following the filing of the first Notice of Appeal. Accordingly, the previously paid Notice of Appeal fee may be applied to the present Notice of Appeal as set forth under 37 C.F.R. 41.20(b)(1). Please charge Deposit Account No. 50-1778 in the amount of \$30 which is the difference between the increased Notice of Appeal fee and the amount previously paid.

Please charge any additional fees or credit any overpayment to Shumaker & Sieffert, Deposit Account No. 50-1778.

Date:

By:

October 9, 2008
SHUMAKER & SIEFFERT, P.A.
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Woodbury, Minnesota 55125
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